

(c) *Request for hearing.* Within 60 days after publication of notice in accordance with paragraph (b)(1) of this section, the applicant or any interested person may request a hearing as provided in § 53.12.

(d) *Notice of cancellation.* If, at the end of the period referred to in paragraph (b)(2) of this section, the Administrator determines that the reference or equivalent method designation should be cancelled, he will publish a notice of cancellation in the FEDERAL REGISTER and delete the designation from the list maintained under § 53.8(c). If a hearing has been requested and granted in accordance with § 53.12, action under this paragraph (d) will be taken only after completion of proceedings (including any administrative review) conducted in accordance with § 53.13 and only if the decision of the Administrator reached in such proceedings is that the designation in question should be cancelled.

§ 53.12 Request for hearing on cancellation.

Within 60 days after publication of notice in accordance with § 53.11(b)(1), the applicant or any interested person may request a hearing on the Administrator's action. The request shall be in writing, signed by an authorized representative of the applicant or interested person, and shall include a statement specifying (a) any objections to the Administrator's action and (b) data or other information in support of such objections. If, after reviewing the request and supporting data, the Administrator finds that the request raises a substantial issue of fact, he will grant a hearing in accordance with § 53.13 with respect to such issue.

§ 53.13 Hearings.

(a)(1) After granting a request for a hearing under § 53.12, the Administrator will designate a presiding officer for the hearing.

(2) If a time and place for the hearing have not been fixed by the Administrator, the hearing will be held as soon as practicable at a time and place fixed by the presiding officer, except that the hearing shall in no case be held sooner than 30 days after publication of

a notice of hearing in the FEDERAL REGISTER.

(3) For purposes of the hearing, the parties shall include the Environmental Protection Agency, the applicant or interested person(s) who requested the hearing, and any person permitted to intervene in accordance with paragraph (c) of this section.

(4) The Deputy General Counsel or his representative will represent the Environmental Protection Agency in any hearing under this section.

(5) Each party other than the Environmental Protection Agency may be represented by counsel or by any other duly authorized representative.

(b)(1) Upon his appointment, the presiding officer will establish a hearing file. The file shall contain copies of the notices issued by the Administrator pursuant to § 53.11(b)(1), together with any accompanying material, the request for a hearing and supporting data submitted therewith, the notice of hearing published in accordance with paragraph (a)(2) of this section, and correspondence and other material data relevant to the hearing.

(2) The hearing file shall be available for inspection by the parties or their representatives at the office of the presiding officer, except to the extent that it contains information identified in accordance with § 53.15.

(c) At his discretion, the presiding officer may permit any interested person to intervene in the hearing upon such a showing of interest as the presiding officer may require; provided that leave to intervene may be denied in the interest of expediting the hearing where it appears that the interests of the person seeking to intervene will be adequately represented by another party (or by other parties), including the Environmental Protection Agency.

(d)(1) The presiding officer, upon the request of any party or at his discretion, may arrange for a prehearing conference at a time and place specified by him to consider the following:

- (i) Simplification of the issues.
- (ii) Stipulations, admissions of fact, and the introduction of documents.
- (iii) Limitation of the number of expert witnesses.